

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRANDON DALE LOWERY)

Plaintiff,)

vs.)

MCSO OFFICERS,)

Defendants.)

Case No.: 2:24-cv-01194-GMN-DJA

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Pending before the Court is the Report and Recommendation (“R&R”), (ECF No. 9), from United States Magistrate Judge Danniell J. Albregts. On July 26, 2024, the Court denied Plaintiff’s application to proceed *in forma pauperis* and required him to file a new one on or before August 26, 2024. (ECF No. 8). In doing so, the Court informed Plaintiff that “[f]ailure to timely comply with this order may result in a recommendation to the district judge that this case be dismissed. (*Id.*). To date, Plaintiff has not filed anything further in this action and appears to have ceased prosecuting it. *See* Fed. R. Civ. P. 41(b). As such, Judge Albregts’ R&R recommends that this case be dismissed without prejudice.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made if the Magistrate Judge’s findings and recommendations concern matters that may not be finally determined by a magistrate judge. D. Nev. R. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S.

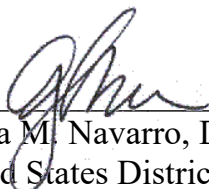
1 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a
2 district court is not required to review a magistrate judge's R&R where no objections have been
3 filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

4 Here, no objections were filed, and the deadline to do so has passed. (*See* R&R, ECF
5 No. 9) (setting a September 30, 2024, deadline for objections).

6 Accordingly, **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF
7 No. 9), is **ACCEPTED and ADOPTED** in full.

8 **IT IS FURTHER ORDERED** that this case is **DISMISSED** without prejudice. All
9 pending motions are **DENIED AS MOOT**. The Clerk of Court is kindly requested to close out
10 this case.

11 Dated this 7 day of October, 2024.

12
13 
14 _____
15 Gloria M. Navarro, District Judge
16 United States District Court
17
18
19
20
21
22
23
24
25